

Message Text

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43

ACTION NEA-12

INFO OCT-01 ISO-00 EB-11 COME-00 SCI-06 AEC-11 IO-13

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FM AMEMBASSY NEW DELHI

TO SECSTATE WASHDC 6834

LIMITED OFFICIAL USE NEW DELHI 10911

E.O. 11652: N/A

TAGS: BGEN, IN, US

SUBJ: TECHNICAL COLLABORATION: MARLEY COMPANY

REF: STATE 182430

1. RENEWAL OF TECHNICAL COLLABORATION AGREEMENT AT THREE-PERCENT, IF APPROVED BY GOI, WILL NOT BE FOR PERIOD IN EXCESS OF FIVE YEARS. BASED ON PAST RECORD OF EXTENSIONS GENERALLY GRANTED BY GOI, MARLEY SHOULD EXPECT APPROVAL OF EXTENSION LIMITED TO ONLY THREE YEARS FROM DATE OF EXPIRY PRESENT AGREEMENT. TO BE ABLE SUCCESSFULLY NEGOTIATE EXTENSION, MARLEY AND PAHARPUR WILL HAVE TO SATISFY GOI THAT TIME-FRAME OF INITIAL AGREEMENT WAS INSUFFICIENT FOR PROPER ASSIMILATION OF TECHNOLOGY BY INDIAN COMPANY OR THAT EXTENSION VITAL FOR BREAKTHROUGH IN SPECIFIED EXPORT MARKETS.

2. GAMMON'S TECHNICAL COLLABORATION AGREEMENT WITH HAMON-SOBELCO OF BELGIUM APPROVED BY GOI IN 1970 HAS REMAINED INOPERATIVE SINCE MID-1972 BY "MUTUAL CONSENT" OF BOTH PARTIES. ACCORDING TO A GOI CONTACT, GAMMON INDIA LIMITED WAS NOT SATISFIED WITH WORKING OF AGREEMENT. UNDERSTAND NEGOTIATIONS UNDERWAY EITHER TO RESTRUCTURE EXISTING AGREEMENT AND LET IT RUN FOR REMAINDER OF FIVE-YEAR TERM OR TO TERMINATE IT.

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3. GOI CLEARLY OPPOSED TO COMBINATION OF TECHNICAL COLLABORATION

WITH ROYALTY AND TECHNICAL CONSULTANCY CONTRACT WITH SAME
FOREIGN FIRM. WE BELIEVE GOI WOULD BE RELUCTANT TO APPROVE SHIFT
FROM TECHNICAL COLLABORATION TO CONSULTANCY AGREEMENT.
SCHNEIDER

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